

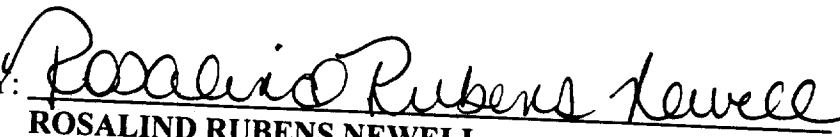
Entered - 06/11/01 - sb
CL01L0351 - DIANNE C. MITCHELL

01- R-1838

CLAIM OF: **PAT HARGRETT**
4620 Club Valley Drive, NE
Atlanta, Georgia 30319

For damages alleged to have been sustained as a result of a sewer
back ups on March 11 and 31, 2001 at 4620 Club Valley Drive, NE.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0351

Date: November 1, 2001

Claimant /Victim PAT HARGRETT

BY: (Atty)(Ins. Co.)

Address: 4620 Club Valley Drive, NE, Atlanta, Georgia 30319

Subrogation: Claim for Property damage \$ 8,276.99 Bodily Injury \$

Date of Notice: 06/06/01 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 03/11 & 03/31/01 Place: 4620 Club Valley Drive, NE

Department Public Works

Division: Sewer Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that her property was damaged due to two sewer back ups. The investigation determined that the claimant did not notify the City of the first occurrence on March 11, 2001 and that the City received no notification of any problem with the mainline until the occurrence on March 31, 2001. The City's Sewer Division responded to the call of the second occurrence, but could not locate any problems with the mainline. The City is immune from liability as set forth in O.C.G.A. §36-33-1.


INVESTIGATION:

Statements: City employee Claimant Others Written Oral
 Pictures Diagrams Reports: Police Dept Report X Other
 Traffic citations issued: City Driver Claimant Driver
 Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
 Improper Notice More than Six Months Other X Damages reasonable
 City not involved Offer rejected Compromise settlement
 Repair/replacement by Ins. Co. Repair/replacement by City Forces
 Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


 INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
 Claims Manager: Concur/date 11-01-01
 Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

RECEIVED

JUN 06 2001

Today's Date: _____

Mitchell
Oce 11/1/01

Dear Municipal Clerk:

MUNICIPAL CLERK

ENTERED - 6-11-01 - DP
01L0351 - DIANNE MITCHELL

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 8276.99 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: March 11 - May 31 2. Time of Incident: _____ 3. Police called: _____
(month/day/year) Yes No

4. Location of incident (including street address): _____

5. Name of your insurance company: USAA Policy No. _____

6. State what and how incident occurred: The city sewer line surcharged into my home. A full account of the incident, damage and receipts is attached.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: _____
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____
(Name) (Address) (Telephone Number)

10. The acknowledgement of this claim in no way waives the sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and / or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Patricia R. Hargrett
Signature of Claimant

Pat Hargrett
(Print Claimant's Name)
4620 Club Valley Dr. NE
(Address)
Atlanta, GA 30319
(City, State and Zip Code)
404-237-5814
(Work Number) (Home Number)